



EV 459414405 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lee W. MUELLER

Conf. No. 1985

Application No.: 09/603,727

Examiner: CHILCOT, Richard E.

Filed: June 23, 2000

Art Unit: 3627

For: PRE-ASSEMBLED INTERNAL SHEAR PANEL

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Signed: Charles R. Cypher
Charles R. Cypher

INFORMATION DISCLOSURE STATEMENT

Applicant submits herewith patents, publications or other information, of which Applicant is aware that Applicant believes may be material to the examination of this application, and in respect of which, there may be a duty to disclose. The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25)

This information disclosure statement is accompanied by Form PTO/SB/08 (substitute for Form PTO-1449) and legible copies of all cited U.S. patent documents and publications, foreign patent documents, and non-patent literature listed in said form.

Further, in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicant notes that the present application is related to the following co-pending patent application: United States Patent Application No. 10/734,870, titled "Corrugated Shearwall," filed December 12, 2003 by inventors William F. Leek, Jose L. Perez and Jerry G. Gridley.

Applicant also submits herewith the following concise statement of relevance as to selected references:

C30 — SCHMID, Calculation Sheet re Apartment Bldgs Seismic Strengthening

Ben L. Schmid is a structural engineer. He shared the cited calculation sheet with Alfred D. Commins, who was at that time an employee of the Assignee of the instant application. The calculation sheet shows a method of reinforcing an existing wall in a building against lateral forces. The wall has an opening for a window in it. According to the method, the interior sheet rock of the existing wall is removed to gain access to the interior of the wall to add additional structural members. The method includes the step of adding horizontal blocking to the wall. The horizontal blocking is placed just underneath the window opening. The blocking continues past either side of the window to the ends of the wall at the same height. The blocking appears to be connected with a continuous 2" by 14 GA strap. The strap is attached to the blocking with #8 x 2" wood screws that are spaced approximately 3" on center. The method also appears to include the step of laying structural plywood over the blocking, the strap and the other components added to the existing wall. It appears that four sheets of plywood are used. Two 4' x 8' panels overlay the portions of the wall on either side of the window. A 2.5' x 4' panel overlays the area underneath the window, and a 1' x 4' panel overlays the area above the window.

C31 — UTZMAN, Provision Patent Application Specification entitled: SHEAR PANEL JOINT

A draft of this patent specification was viewed by Alfred D. Commins, who was at that time an employee of the Assignee of the instant application. At the time, Commins was told that the draft he reviewed had been filed with the United States Patent Office as a provision patent application. Applicant's attorney has viewed issued U.S. Patent 5,870,870 and has compared it to the draft reviewed by Assignee's employee. The two are substantially similar with added material appearing in the non-provisional application that issued as U.S. Patent 5,870,870.

Applicants are including this reference because the examiner may feel it to be relevant. Applicant's citation of this reference in this Information Disclosure Statement should not be taken as an admission that it constitutes prior art.

C32 — Typical CS Installation as a Floor-to-Floor Tie with Strap attached over plywood

This drawing is best viewed in combination with reference C27, which is page 56 from Simpson Strong-Tie Company, Inc.'s 1996 catalog *Wood Construction Connectors*. Catalog C-96, which shows the typical installation of a coiled strap as a floor-to-floor tie. This drawing is provided to let the examiner know that the CS strap shown in the Simpson Strong-Tie *Wood Construction Connectors* catalog is often installed as a floor-to-floor tie after the plywood or other structural panel

has been mounted on the side of the building. The strap is then laid over the panel and attached with additional fasteners into the studs of the wall.

The person making this certification is the practitioner who signs below on the basis of the information supplied by the inventor(s) and the assignee and in the practitioner's file.

This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination under 37 C.F.R. § 1.114 and the requisite fee. While no further fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required for this paper, or credit any overpayment to Deposit Account No. 03-4075 (Atty. Docket No. SST-1070).

Respectfully submitted,

Date: 11/16/2004

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Attachments: Form PTO/SB/08 (3 pgs)
48 cited references

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MODIFIED PTO/SB/8A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO (MODIFIED)		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	09/603,727
		Filing Date	06/23/2000
		First Named Inventor	Lee W. Mueller
		Group Art Unit	3627
		Examiner Name	Chilcot, Richard E.
Sheet 1 of 3	Attorney Docket Number	SST/1070 Express Mail EV459414405	

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US- 2002/0020122 A1	02-21-2002	Mueller	
	A2	US- 2003/0009964 A1	01-16-2003	Trarup et al.	
	A3	US- 4,037,281	07-26-1977	Reynolds	
	A4	US- 4,863,189	09-05-1989	Lindsay	
	A5	US- 4,875,314	10-24-1989	Boilen	
	A6	US- 5,279,088	01-18-1994	Heydon	
	A7	US- 5,921,054	07-13-1999	Rudd	
	A8	US- 5,987,828	11-23-1999	Hardy	
	A9	US- 6,185,898 B1	02-13-2001	Pratt	
	A10	US- 6,212,849 B1	04-10-2001	Pellock	
	A11	US- 6,308,469 B1	10-30-2001	Leung	
	A12	US- 6,327,831 B1	12-11-2001	Leek	
	A13	US- 6,668,508 B2	12-30-2003	Boone et al.	
	A14	US- 2,271,584	02-03-1942	Fellom	
	A15	US- 6,643,986 B2	11-11-2003	Commins et al.	
	A16				
	A17				
	A18				
	A19				
	A20				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B1	WO 96/02713	02-01-1996	Paul, Arthur J.		
	B2					
	B3					
	B4					
	B5					
	B6					
	B7					

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English Language Translation is attached.

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		Examiner Name	Chilcot, Richard E.
		Attorney Docket Number	SST/1070 Express Mail EV459414405
Sheet	2	of	3

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate); title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C1	"BULLDOG Timber Connectors. Develop Full Strength of Timber Members at Connections", Product brochure. Publication date unknown, received in the offices of James R. Cypher October 24, 1997, BULLDOG A/S, Oslo, Norway	
	C2	"BULLDOG Steel Safety Timber Connectors." Product data. 1938. O. Theodorsen, C. E., Oslo, Norway	
	C3	"Hurri-Bolt Uplift Solutions. The Truss Tie-Down That Will Blow You Away. Engineering Manufacturing & Installation. SBCCI Report #9910," Product brochure. Publication date unknown; received in the offices of James R. Cypher July 28, 1999. Hurri-Bolt Uplift Solutions, Inc. Tampa, Florida	
	C4	Evaluation Report ER-5467. Rayco Earthquake Mitigation Anchor System. November 1, 1998. ICBO Evaluation Service, Inc., Whittier, California	
	C5	Evaluation Report PFC-5342. Hard Frame, Hardy Frame Heavy Duty, 18-Inch Hard Braced Frame and Hardy Frame Screw. September 1, 1999. ICBO Evaluation Service, Inc. Whittier, California	
	C6	MBR TDSsystem "Typical Component Installation Details." Installation instructions and product data. June 9, 1993, MBR Systems, South San Francisco, California	
	C7	PROBOLT, "Structural Tie Down System." Product data sheet, installation instructions, and SBCCI Report No. 9916. 1999. PROBOLT, Orlando, Florida	
	C8	"Seismic Solutions Structural Tie Downs. Quake-Tie. The Superior Hold-Down Solution." Product brochure and data sheet. January 1998. "Memorandum re Calculation of Wood Shrinkage for Proposed Quake-Tie Hold-down System Consideration," January 20, 1997. SEISMIC SOLUTIONS, Glen Ellen, California	
	C9	"Simplified Structural Systems. Makers of The Hardy Frame." Product brochure. December 1, 1999. Simplified Structural Systems, Ventura, California	
	C10	"Simpson Strong-Tie Connectors. Strong-Wall Shearwall." Product data. 1999. Simpson Strong-Tie Company, Inc., Pleasanton, California	
	C11	"Simpson Strong-Tie Connectors. Strong-Wall Shearwall." Installation guide. 2001. Simpson Strong-Tie Company, Inc., Pleasanton, California	
	C12	"MKP Monkey Paw Anchor Bolt Holders." "LBP/BP Bearing Plates." "RFB Retrofit Bolts." <i>Wood Construction Connectors</i> . Catalog C-96. 1995. Simpson Strong-Tie Company, Inc., Pleasanton, California. Page 19.	
	C13	DUNKLEY, D.. "Prefab Shear Walls." <i>The Journal of Light Construction</i> . Vol. 18, No. 3. December 1999. pp. 46-53.	
	C14	"Every Home Needs Z-Walls. The Strongest Shear Wall in the Smallest Space." Product brochure. Date unknown. KC Metal Products, Inc. San Jose, California	
	C15	"ZWALL Shear Walls. Strength Where You Need It." Product data on-line. Retrieved from the internet June 13, 2001 from URL: http://www.z-wall.com/photo15.htm , http://www.z-wall.com/photo7.htm , and http://www.z-wall.com/diaq15.htm	
	C16	TISSELL, J.R. & ROSE, J.D. "Research Report 146. Roof Diaphragms for Manufactured Homes." American Plywood Association Technical Services Division. Tacoma, Washington. September 1993.	
	C17	KEITH, E.L. "Research Report 153. Big Bin: Performance and Testing." American Plywood Association Technical Services Division. Tacoma, Washington. May 1990.	
	C18	"Technical Note No. N370B. Stapled Sheet Metal Blocking for APA Panel Diaphragms." American Plywood Association. Tacoma, Washington. November 1993.	
	C19	"Industrial Use Guide. Materials Handling." APA The Engineered Wood Association. Tacoma, Washington. January 1995.	
	C20	"The Produce Protector. Making a Case for Plywood Harvest Bins." APA The Engineered Wood Association. Tacoma, Washington. May 1996.	

Examiner Signature	Date Considered
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	C21	"A Test of Time. Plywood Harvest Bins Span Three Decades in Use. APA The Engineered Wood Association. Tacoma, Washington. November 1996.	
	C22	"APA Collapsible Bin Design and Fabrication." APA The Engineered Wood Association. Tacoma, Washington. February 1997.	
	C23	"Plywood for Tobacco Storage." Memorandum. APA The Engineered Wood Association. Tacoma, Washington. Date unknown. Received in the offices of James R. Cypher May 1997.	
	C24	BREYER, D.E. "Plywood and Other Structural-Use Panels." in <i>Design of Wood Structures</i> . 3 rd Ed. McGraw-Hill, Inc. 1993. p. 434	
	C25	BREYER, D.E. "Shearwalls" in <i>Design of Wood Structures</i> . 3 rd Ed. McGraw-Hill, Inc. 1993. Chapter 10, pp. 497-532.	
	C26	FOLIENTE, G.C., ed. <i>Earthquake Performance and Safety of Timber Structures</i> . Forest Products Society. Madison, Wisconsin. 1997. (See in particular: KARALIC, M. "Analysis of Performance of Floors and Shear Walls with the New Engineered Bracing Systems," pp. 115-124 and COMMINS, A. et al., "Effect of Hold-Downs and Stud-Frame Systems on the Cyclic Behavior of Wood Shear Walls," pp. 142-146)	
	C27	"CS/SMST Coiled Straps." & "SA/HAS Strap Connectors." <i>Wood Construction Connectors</i> . Catalog C-96. 1995. Simpson Strong-Tie Company, Inc., Pleasanton, California. Page 56.	
	C28	"LTP/A34/A35 Framing Anchors." <i>Wood Construction Connectors</i> . Catalog C-96. 1995. Simpson Strong-Tie Company, Inc., Pleasanton, California. Page 58.	
	C29	"HCST Hinge Connector Straps," "VB/VBP Knee Braces," "PSCL Panel Sheathing Clips," & "IS Insulation Supports." <i>Wood Construction Connectors</i> . Catalog C-97. 1996. Simpson Strong-Tie Company, Inc., Pleasanton, California. pg 53.	
	C30	SCHMID, B.L. "Apartment Bldgs Seismic Strengthening." Calculation sheet. July 30, 1994 Balboa Island, California.	
	C31	UTZMAN, Charles H. Provisional Patent Application Specification entitled "Shear Panel Joint."	
	C32	"Typical CS Installation as a Floor-to-Floor Tie with Strap attached over plywood." Drawing sheet.	

Examiner Signature		Date Considered	
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